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SECRETARY, BOARD OF
OIL, GAS & MINING

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Attorneys for Respondent
Co-op Mining Company

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES, STATE OF UTAH

IN THE MATTER OF THE REQUEST)
FOR AGENCY ACTION BY PETITIONERS)
NORTH EMERY WATER USERS)
ASSOCIATION, HUNTINGTON-CLEVELAND)
IRRIGATION COMPANY, and CASTLE)
VALLEY SPECIAL SERVICES DISTRICT)

MOTION FOR DISCOVERY

Docket No. 94-027

Cause No. ACT/015/025-93B

Pursuant to R641-108-900, Permittee/Respondent C.W. Mining Company d/b/a Co-op Mining Company (Co-op) moves the Board for an Order requiring Petitioners to answer the accompanying Interrogatory no later than ten (10) days prior to the hearing in this matter.

This Motion is based on the grounds that the requested discovery is expressly permitted by Rules 26(b)(4) and 33 of the Utah Rules of Civil Procedure, that the discovery is not unduly burdensome on Petitioners, and that Co-op requires the discovery to prepare for the hearing, including preparing for the effective cross-examination of Petitioners' expert witnesses.

DATED this 9 day of September, 1994.


Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing instrument upon all parties of record in this proceeding by mailing a copy thereof, properly addressed, with postage prepaid, to:

David B. Hartvigsen
NIELSEN & SENIOR
1100 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Attorneys for
North Emery Water Users' Association and
Huntington-Cleveland Irrigation Company

Jeffrey W. Appel
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9 Exchange Place, Suite 1100
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Attorneys for
Castle Valley Special Service District

Dated at Salt Lake City, Utah this 9 day of September, 1994.

A handwritten signature in cursive script, appearing to read "Mark Hansen", written over a horizontal line.

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